

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
August 13, 2003

ITEM: 15

SUBJECT: NPDES PERMIT RENEWAL: WASTE DISCHARGE REQUIREMENTS FOR UNITED STATES NAVY GRAVING DOCK LOCATED AT NAVAL STATION SAN DIEGO, SAN DIEGO BAY, SAN DIEGO COUNTY (TENTATIVE ORDER NO. R9-2003-0265, NPDES PERMIT NO. CA0107867) (Paul J. Richter)

PURPOSE: To receive comments from interested parties regarding the tentative NPDES permit for waste discharge requirements for U.S. Navy Graving Dock (USN Graving Dock).

PUBLIC NOTICE: A newspaper notice was published in the San Diego Union-Tribune on July 3, 2003. Copies of the notice for this hearing and the tentative Order were mailed on July 7, 2003 to the discharger and to all known interested parties and agencies. Copies were made available for public review at the Regional Board office on July 7, 2003 and were posted on the San Diego Regional Board's web site on July 9, 2003. These procedures served as the 30-day official public notification for this action, as required by Title 40, Section 124.10 of the Code of Federal Regulations.

DISCUSSION: See attached Staff Report dated July 29, 2003 for this Item.

COMPLIANCE RECORD: Over the past 12 months the USN Graving Dock has not had any effluent violations pursuant to Order No. 98-53.

LEGAL CONCERNS: Briggs Law Corporation and the Environmental Health Coalition (EHC) contend that numerical effluent limitations for industrial storm water discharges should be included in the shipyard permits

and Naval Base permits. They contend that the numerical effluent limitations should be derived from the California Toxics Rule (CTR) and State Implementation Policy (SIP). The CTR establishes water quality criteria for receiving water.

The *Introduction* to the SIP, p.1 footnote 1, declares . . . *This Policy does not apply to regulation of storm water discharges.* The SIP was not used to establish effluent limitations for the discharges of industrial storm water. The State Board's Office of Chief Counsel has confirmed that the SIP does not apply to the regulation of storm water discharges.

SUPPORTING  
DOCUMENTS:

1. Location Map and Facility Plot Map.
2. Staff Report, dated July 29, 2003 for Item 15, Discussion Section.
3. Tentative Order No. R9-2003-0265, draft NPDES Permit No. CA0107876 (Including the Monitoring and Reporting Program and the Fact Sheet).
4. Transmittal Letter dated July 7, 2003.
5. Public Notice Document dated July 3, 2003.

SIGNIFICANT CHANGES  
FROM ORDER NO. 98-53:

1. Tentative Order No. R9-2003-0265 was written for the specific operational, structural, and discharge conditions at the USN Graving Dock.
2. The USN Graving Dock has developed a system to divert its industrial storm water discharges to the sanitary sewer.
3. The tentative Order includes monitoring of the point source discharges (excluding industrial storm water discharges) for priority pollutants. The monitoring data will be used for a reasonable potential analysis pursuant to the SIP.

RECOMMENDATION:

Staff recommends adoption of tentative Order No. R9-2003-0265.